IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Criminal Misc. Transfer Application No. 14/2005

Abdul Gaffur s/o Abdul Majid,
R/o 2-Civil lines,Roorkee
Police Station Roorkee,
District Haridwar — Applicant

Versus

1 State of Uttaranchal
2 Rashid S/o Afjal
3 Jahid s/o Afjal
4 Afjal s/o Rafiq Ahmad
All resident of 2-Civil Lines,
Roorkee
Police Station Roorkee,
District Haridwar. — Opposite party.

Hon'ble B.C. Kandpal, J

This application under Section 407 Cr.P.C. has been filed by the petitioner for the transfer of criminal case No. 1238 of 2002 State versus Rashid and others under section 323,504,506 IPC pending in the court of Special Judicial Magistrate ,Roorkee to any other competent court .

Heard Sh Mohinder Singh Bisht , learned counsel for the applicant and perused the affidavit filed in support of the application.

I do not find any ground taken in the affidavit which may lead to an inference that the applicant will be deprived of justice from the court where the case is pending . The case is not supposed to be transferred at the whims of the party.

I have perused the order passed by learned District and Sessions Judge where the transfer application has been moved by the applicant and I also do not find any ground which may call for an

interference in the impugned order passed by the Learned Sessions Judge.

The application being devoid of any force is hereby rejected.

(B.C. Kandpal,J)

22.9.2005
nbj